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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

DOUG LITTLE, Chairman
BOB STUMP
BOB BURNS
TOM FORESE
ANDY TOBIN

DOCKETED

JUN 14 2016

DOCKETED BY *[Signature]*

2016 JUN 14 P 4: 07

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE)
APPLICATION OF THE ARIZONA)
DEPARTMENT OF TRANSPORTATION TO)
UPGRADE AN EXISTING CROSSING OF THE)
UNION PACIFIC RAILROAD COMPANY AT)
15TH AVENUE IN THE CITY OF PHOENIX,)
MARICOPA COUNTY, ARIZONA, AAR/DOT)
NO. 741-459D.)

DOCKET NO. RR-03639A-14-0385

DECISION NO. 75025

RESPONDENT UNION PACIFIC'S
REQUEST FOR ADDITIONAL TIME
TO COMPLETE CROSSING
IMPROVEMENTS AT 15TH AVENUE
IN THE CITY OF PHOENIX

Respondent Union Pacific Railroad Company ("Union Pacific"), by and through its attorneys undersigned, hereby requests additional time to complete the crossing improvements at 15th Avenue in the City of Phoenix, Arizona, which were ordered by the Arizona Corporation Commission on April 23, 2015, in Decision No. 75025. Union Pacific requests an additional six (6) months to complete the 15th Avenue crossing improvements. Union Pacific submits that there is good cause for its extension request because the crossing improvement's construction schedule has been slowed by various factors, including contractor's and other stakeholder's work schedules, Union Pacific's materials procurement and project planning efforts, and the availability of Union Pacific's crossing construction gangs. See Declaration of Union Pacific Manager of Public Projects Alex Popovici, attached as Exhibit "A".

Before filing this extension request, Union Pacific informed Arizona Department of Transportation's railroad liaison, Mr. Jason Pike, of Union Pacific's need for additional time. Mr. Pike is aware of Union Pacific's construction schedule and has not voiced any objections to the

1 requested extension. Union Pacific also informed ACC staff and their counsel of Union Pacific's
2 need for additional time to complete the 15th Avenue crossing improvements.

3 The Commission ordered Respondent to complete the upgrades by July 23, 2016, fifteen
4 (15) months from the date of the Order. Since Union Pacific cannot complete the project by July
5 23, 2016, additional time is requested.

6 Accordingly, Union Pacific therefore requests that the Commission extend the July 23,
7 2016 deadline in Decision No. 75025 six months to **January 23, 2017**.

8 RESPECTFULLY SUBMITTED this 14th day of June, 2016.

9
10 BEAUGUREAU, HANCOCK,
11 STOLL & SCHWARTZ, P.C.

12 By: 

13 Anthony J. Hancock
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17 Attorneys for Respondent Union
18 Pacific Railroad Company

19 ORIGINAL AND THIRTEEN COPIES
20 of the foregoing filed this 14 day of
21 June, 2016, with:

22 Docket Control
23 Arizona Corporation Commission
24 1200 West Washington Street
25 Phoenix, Arizona 85007

26 COPY of the foregoing mailed this
14 day of June, 2016, to:

The Honorable Scott M. Hesla
Hearing Division
ARIZONA CORPORATION COMMISSION
1200 W. Washington Street
Phoenix, Arizona 85007

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2 Industry & Public Projects
3 UNION PACIFIC RAILROAD COMPANY
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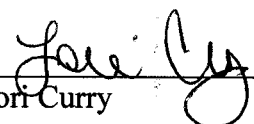
6 Jason Pike
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DOUG LITTLE, Chairman
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BON BURNS
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DOCKET NO. RR-03639A-14-0385

DECISION NO. 75025

**DECLARATION OF ALEXANDER
POPOVICI IN SUPPORT OF UNION
PACIFIC RAILROAD COMPANY'S
REQUEST FOR ADDITIONAL TIME
TO COMPELTE CROSSING
IMPROVEMENTS AT 15TH AVENUE**

1. I am over the age of eighteen, and I have personal knowledge of the facts stated herein.

3. The Arizona Corporation Commission approved Arizona Department of Transportation's ("ADOT's") application to upgrade the existing railroad crossing at 15th Avenue in the City of Phoenix, Maricopa County, Arizona. See, Arizona Corporation Commission Decision No. 75025.

4. The Arizona Corporation Commission ordered that all crossing improvements be completed within 15 months of the Decision No. 75025 adoption date, or **July 23, 2016**.

5. The project has proceeded slower than originally anticipated due to contractor schedules, project planning, and construction crews' availability.

6. Since Union Pacific is unable to finish the crossing's improvements before the July 23 deadline, additional time is needed to ensure that Union Pacific can safely complete the 15th Avenue crossing improvements.

7. Union Pacific has advised Applicant Arizona Department of Transportation's ("ADOT") railroad liaison, Mr. Jason Pike, of Union Pacific's need for additional time. Mr. Pike has informed Union Pacific that ADOT has no objection to Union Pacific's brief extension request.

8. Prior to filing this extension request, Union Pacific, through its attorneys, has also advised Arizona Corporation Commission staff and attorneys of Union Pacific's request for a six (6) month extension to complete the 15th Avenue crossing improvements.

Alexander Popovici
Manager of Industry and Public Projects
Union Pacific Railroad Company